#### A Report to the Joint Legislative Oversight Committee on General Government October 6, 2020

# Conducting Elections in a Pandemic



## Overview



- Mechanics of Elections
- Landscape of Elections since March 6, 2020 Presentation to Committee
- Update on HAVA and CARES Act spending



# **Mechanics of Elections**

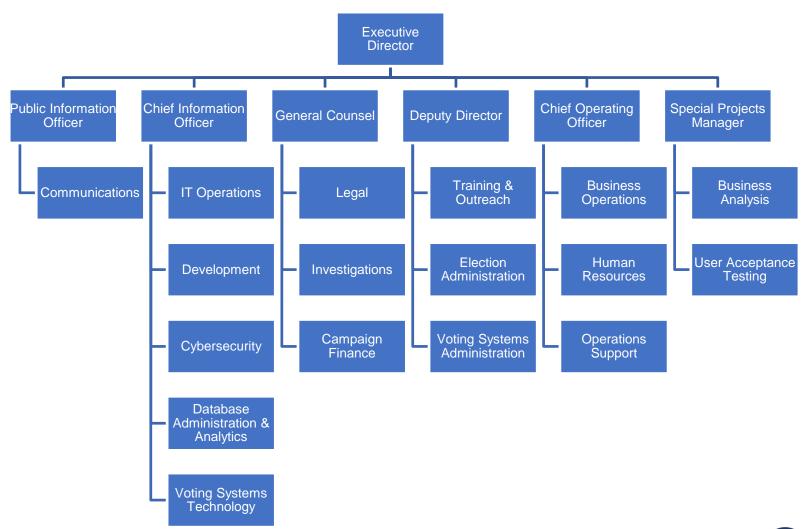


# Current State Board Structure G.S. § 163-19

- State Board now composed of 5 gubernatorial appointees: 3 Democrats, 2 Republicans
- Exercises oversight of elections and campaign finance
- Members serve 4-year terms
- Executive Director appointed by board, serves 2-year term, is chief State elections official



# Organizational Structure





#### State Board of Elections

- Has final responsibility for the conduct of elections
- Ensures all elections are conducted fairly and smoothly
- Oversees county boards of elections
  - Training
  - Directives on election procedures
- Hears appeals from CBEs
  - May also take jurisdiction over certain CBE matters
  - Issues orders on discrete matters and legal questions
- Appoints and removes CBE members (Governor appoints CBE chair)

#### State Board of Elections

- Adopts rules and guidelines for statewide uniformity
  - Voting systems
  - Registration forms
  - Pollbooks
  - Administrative procedures
- Maintains official voter registration list for the state
- Ensures ballot preparation
- Administers campaign finance compliance and audits
- Investigates elections and campaign finance matters



# Current County Board Structure G.S. § 163-30(a)

- County Boards of Elections (CBEs) are composed of 5 appointed members
  - 4 members appointed by State Board: 2 Republicans and 2 Democrats. Selected from lists of nominees from political parties
  - Chair (5<sup>th</sup> member) appointed by Governor
  - Appointed last Tuesday in June, every two years thereafter



# County Boards of Elections

- Voter registration and election administration subject to the supervision and control of the State Board
- Duties include:
  - Appoint precinct officials
  - Develop and adopt one-stop early voting plans
  - Canvass returns and issue certificates of election
  - Arrange for polling places
  - Issue absentee ballots and administer in-person voting
  - Administer voter registration



## Role of An Elections Professional





# Landscape of Elections Since March 6, 2020 Presentation to Committee



# Preparations & Planning



- NC's first known coronavirus case (3/3/2020)
- Series of proactive and responsive steps
  - Task force
  - Guidance
  - Partnerships
  - Insight from national colleagues
- Emphasis on safety for both absentee by mail and in-person voting
- New date for 2<sup>nd</sup> Primary



County Board use only

#### Absentee application and certificate

#### Step 1: Get your witness ready.

You must have one witness. Anyone who is 18 years of age or older can be a witness except a candidate (unless they are your near relative or legal guardian).

If you are a patient or resident in a hospital, clinic, nursing home or adult care home, your witness certifies they are not:

- · An owner, manager, director, or employee, of a hospital, clinic, nursing home or rest home in which you are a
- A person who holds any federal, state, or local elective office.
- A person who holds office in a state, congressional district, county or precinct political party or organization, or who is a campaign manager or treasurer for any candidate or political party.

#### Step 2: Voter, sign and complete below.

My signature below means I certify that I:

- · am registered to vote in this county. · will have lived at my address listed here at least 30 days before this election.
- · am a US citizen.
- · am 18, or will be by this election.
- · have not been convicted of a felony or if I have been convicted of a felony I have completed my sentence. including probation, post release supervision and parole
- · understand it is a felony to vote more than once in an election

I marked the enclosed ballot or it was marked for me according to my instructions.

#### Voter, sign here.



Name correction (if applicable)

#### Step 3: Witness, sign and complete below.

My signature below means I certify that I:

- meet the qualifications outlined in Step 1. confirm the Voter marked the enclosed ballot in my presence, or caused it to be marked in my presence according to their
- respected the secrecy of the ballot and the Voter's privacy, unless I assisted the Voter at their request.

Witness, print name:			
Address:			
Witness signature:	ĸ		

#### If needed, Voter assistant certification.

Only required if the Voter has received assistance in marking the ballot or needs assistance mailing the ballot.

My signature below means I certify that:

- the Voter asked for my help. . I helped mark the ballot and/or the Absentee Application and Certificate according to the Voter's instruction.
- · I assisted only while in the Voter's
- I am the Voter's near relative or verifiable legal guardian, or I am providing assistance because a near relative or lega quardian is unavailable to assist the Vote
- I understand that individuals who are disqualified from serving as a witness as described in Step 1 are also disqualified from serving as the Voter's assistant.
- If the Voter indicated they have a disability that prevents them from mailing the ballot, I will place the sealed absentee return envelope in the closest U.S. Mail depository or mailbox

and I not ( the V( Assista	ualified from assisting	
Addres		
Assistant signatu	re: x	

Before return ballot, sure:

Jiently or falsely completing this y under Chapter 163 of the NC G

#### **New Tools for Voters**

#### Absentee Application and Certificate

Fraudulently or Falsely completing this form is a Class I felony under Chapter 163 of the N.C. General Statutes
The following people are PROHIBITED from signing the Witness Certification:

For all voters: a candidate. UNLESS the candidate is the voter's near relative. For voters who are patients or residents of a hospital, clinic, nursing home, or adult care home: (1) an owner, manager, director, or employee of that facility; (2) an individual who holds any federal, State, or local elective office; and (3) an individual who holds office in a State, congressional district, county or precinct political party or organization, or who is a campaign manager or treasurer for any candidate or political party

#### Voter's Certification (Required)

l attest that I am currently registered to vote in this county and I will have resided at the address on this application for 30 days immediately prior to this election I am a United States citizen and I am at least 18 years old, or will be by the date of the general election. I understand that it is a felony to vote more than one time n an election. I have not been convicted of a felony, or if I have been convicted of a felony, I have completed my sentence, including any probation or parole.

I further certify that I marked the enclosed ballot (or it was marked for me according to my instructions) in the presence of

two (2) witnesses who are at least 18 years of age and who are not
disqualified by law to witness the casting of my absentee ballot (the
witnesses must complete Option 1 of the Witness Certification)
OR

	a notary public (the	notary must	complete	Option 2	of the	Witne
_	Certification)					
	X					

#### Voter Assistant Certification (if applicable)

☐ I certify that: • the Voter requested my assistance • I assisted by marking the ballot and/or the Absentee Application and Certificate according to the Voter's instruction only • I assisted only while in the Voter's presence • I am the Voter's near relative or verifiable legal guardian, or I am providing assistance because a near relative or legal guardian is unavailable to assist the voter and I am not disqualified from assisting the Voter under G.S. 163-226.3(a)(4) or G.S

I certify that: • Due to a disability the Voter requested my assistance placing the sealed absentee return envelope in the closest U.S. Mail depository or mailbox • mailed the ballot as directed by the Voter • I am not disqualified from assisting the /oter under G.S. 163-226.3(a)(4) or G.S. 163-237(c).

Name of Assistant	Address of Assistant
X	
Assistant's Signature	Date

#### Witness Certification

Option 1: Two (2) Witnesses ired Unless a Notary Public is the Witness)

I certify that: • I am at least 18 years old • I am not disqualified from witnessing the ballot as described in the WARNING on the flap of this envelope • The Voter marked the enclosed ballot in my presence, or caused it to be marked in the Voter's presence according to his/her instruction • The Voter signed this Absentee Application and Certificate, or caused it to be signed • I respected the secrecy of the ballot and the Voter's privacy, unless I assisted the Voter at his/her request [complete Voter Assistant Certification section].

Witness #2
Signature (Required)
Street Address (Required)
City, State and Zip (Required)
Date

**Option 2: Notary Public as Witness** 

personally appeared before me, was positively identified and in my presence, the Voter marked the enclosed ballot, or caused it to be marked in the Voter's presence according to his/her instruction • The Voter signed this Absentee Application and Certificate of caused it to be signed • I am at least 18 years old • I am not disqualified for witnessing the ballot as described in the WARNING on the flap of this envelope • I respected the secrecy of the ballot and the privacy of the Voter, unless I assisted the Voter at his/her request [complete Voter Assistant Certification section]

Old Design

Affix NON-BARCODE

Label HERE

Affix BARCODE

Label HERE

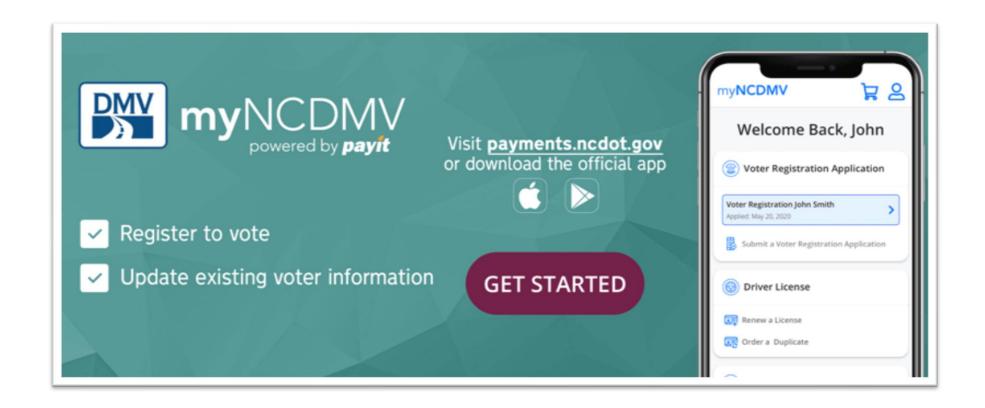
п						
ı	Date Ballot Received:		Voter Certification Signed:	☐ Yes	□ No	
	Receipt Method:		Witness Certification Signed:	☐ Yes	☐ No	
	Board Meeting Date:		CBE Reviewer Initials			
	Board		Board Approval Date:			

Second Primary Request or Runoff Request In the event that a Second Primary (or Runoff Election) is called, I request that an absentee application and ballot be issued to me and

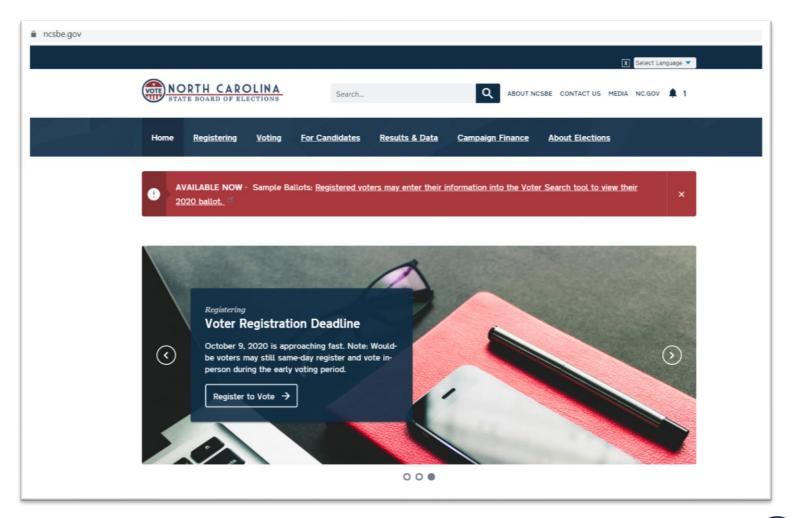
Signature of Voter (if applicable

Address where application and ballots should be mailed













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Home

Contact

#### North Carolina Absentee Ballot Request Portal

This portal provides a secure way to request an absentee by mail ballot which will be mailed to you. If you are active military, the spouse or dependent of an active military service member or you are a US citizen outside the United States, the portal offers a way to request and return your Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) ballot.

#### Request an Absentee Ballot

If you are a North Carolina registered voter (not a military or overseas voter) and wish to request an absentee by mail ballot please use this portal. If you are not a registered voter please click here.

CONTINUE

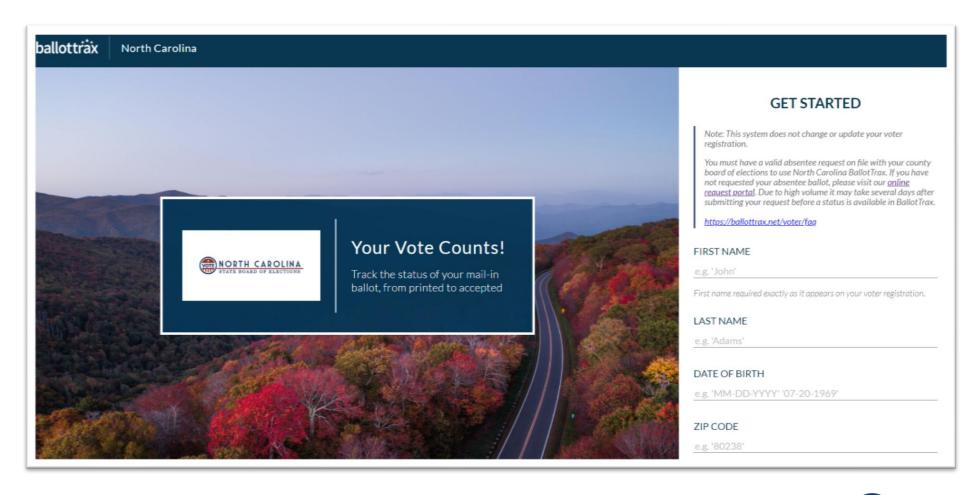
#### Access Military/Overseas Voter Services

If you are active Military or live overseas you may request and access your ballot through this portal.

CONTINUE

Powered by Democracy Live | Privacy Policy | Technical Support







# **Unprecedented Election**



As of 10/6/2020 (9:30 AM)

- 1.2 million+ absentee ballot requests
- 387,117 absentee ballots cast
- 40,000+ Democracy Heroes



# Unprecedented Election



- 13,737,343 PPE items
  - Masks
  - Hand sanitizer
  - Cotton swabs
  - Face shields
  - Cleaning supplies
- Single Use Pens
- Protective Barriers
- Social Distancing



# Update on HAVA and CARES Act Spending

(S.L. 2019-239, 2020-17, 2020-97)



# HAVA and CARES Act Spending Update S.L. 2019-239, 2020-17, 2020-97

- In the process of purchasing ads for social media, radio, and website to recruit election workers
- 8 positions funded by SL 2020-17: These positions provide ongoing security and related support to county boards to bridge resource gaps identified at the local level
- 12 high-speed tabulators purchased to deploy to counties for continuity of operations or emergency management
- CARES Act and HAVA funds designated for county boards are to prevent, prepare for, and respond to the coronavirus pandemic during the 2020 federal election cycle.
  - Examples: additional personnel, equipment, safety supplies, postage, printing

# Questions



